

REMARKS

Claims 1 and 3-20 are pending in the application and have been rejected under §112 (2nd paragraph) and under § 102(a) as being anticipated by EP 1 422 289 A1 (EP '289).

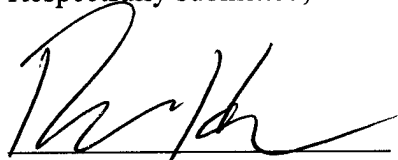
Applicant has amended the claims to correct all antecedent problems in the claims. Thus, it is requested that the §112 (2nd paragraph) rejection be withdrawn.

With respect to the prior art rejection, EP '289 is actually the EP counterpart of the subject application and is, therefore, not prior art. In this regard, it is noted that the publication date of EP '289 is May 26, 2004, which is after the November 20, 2003 filing date of the subject application. 35 U.S.C. § 102(a) states that "a person shall be entitled to a patent unless the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent." It is clear that EP '289 was not patented or described in a printed publication before the invention by the Applicant.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Hannon', written over a horizontal line.

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